

House Study Bill 625

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
JUDICIARY BILL BY
CHAIRPERSON SWAIM)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act to increase the maximum allowable fine for violation of a
2 city or county ordinance or a portion of the Code adopted by
3 reference.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 6082YC 82
6 md/nh/5

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1 1 Section 1. Section 331.302, subsection 2, Code 2007, is
1 2 amended to read as follows:
1 3 2. A county shall not provide a penalty in excess of a
1 4 ~~five~~ six hundred ~~twenty=~~five dollar fine or in excess of
1 5 thirty days imprisonment for the violation of an ordinance.
1 6 The criminal penalty surcharge required by section 911.1 shall
1 7 be added to a county fine and is not a part of the county's
1 8 penalty.
1 9 Sec. 2. Section 331.302, subsection 4A, paragraph a,
1 10 subparagraph (2), Code 2007, is amended to read as follows:
1 11 (2) A portion of the Code of Iowa may be adopted by
1 12 reference only if the criminal penalty provided by the law
1 13 adopted does not exceed thirty days imprisonment and a ~~five~~
1 14 six hundred ~~twenty=~~five dollar fine.
1 15 Sec. 3. Section 364.3, subsection 2, Code 2007, is amended
1 16 to read as follows:
1 17 2. A city shall not provide a penalty in excess of a ~~five~~
1 18 six hundred ~~twenty=~~five dollar fine or in excess of thirty
1 19 days imprisonment for the violation of an ordinance. An
1 20 amount equal to ten percent of all fines collected by cities
1 21 shall be deposited in the account established in section
1 22 602.8108. However, one hundred percent of all fines collected
1 23 by a city pursuant to section 321.236, subsection 1, shall be
1 24 retained by the city. The criminal penalty surcharge required
1 25 by section 911.1 shall be added to a city fine and is not a
1 26 part of the city's penalty.
1 27 Sec. 4. Section 380.10, subsection 2, Code 2007, is
1 28 amended to read as follows:
1 29 2. A portion of the Code of Iowa may be adopted by
1 30 reference only if the criminal penalty provided by the law
1 31 adopted does not exceed thirty days' imprisonment and a ~~five~~
1 32 six hundred ~~twenty=~~five dollar fine.

EXPLANATION

1 34 This bill increases the maximum penalty a city or a county
1 35 may impose for violation of an ordinance from \$500 to \$625.
2 1 The bill also provides that cities and counties may adopt a
2 2 portion of the Code by reference as part of an ordinance only
2 3 if the criminal penalty does not exceed 30 days' imprisonment
2 4 and a \$625 fine.
2 5 LSB 6082YC 82
2 6 md/nh/5